

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ELIJAH JOHNSON,

Plaintiff,

SPECIAL INTERROGATORIES

Civil Action No.: 5:16-CV-0622
(BKS/DEP)

v.

POLICE OFFICER MAURO, POLICE OFFICER
LASHOMB, and POLICE OFFICER QUONCE,
all sued herein in their capacity as individuals,

Defendants.

Your answer to each question must be unanimous. Unless all of you agree that Defendants proved the following by a preponderance of the evidence, you may not return an answer to the the question.

1. Did the Defendants reasonably believe and perceive that Elijah Johnson was uncooperative with the police after he exited his friend's Cadillac?
Yes _____ No _____
2. Did the Defendants reasonably believe and perceive that Elijah Johnson withheld his hands in some way when Officer Mauro was trying to handcuff him?
Yes _____ No _____
3. Did the Defendants reasonably believe and perceive that Elijah Johnson pulled away or pulled his shoulder or one or more of his hands away when Officer Mauro was trying to handcuff him?
Yes _____ No _____
4. Did the Defendants reasonably believe and perceive that Elijah Johnson was using the position of his body in any way to avoid handcuffing?
Yes _____ No _____

5. Did the Defendants reasonably believe and perceive that Elijah Johnson had only one handcuff or no handcuffs attached when he was on the ground with Officer Mauro?
Yes _____ No _____
6. Did the Defendants reasonably believe and perceive that Elijah Johnson was withholding his hands in any way while he was on the ground?
Yes _____ No _____
7. Did the Defendants stop administering strikes once Elijah Johnson was in handcuffs?
Yes _____ No _____
8. Did Officer Quonce observe the complete interaction between the other officers and Elijah Johnson after he was moved?
Yes _____ No _____
9. Did Officer LaShomb observe the complete interaction between the other officers and Elijah Johnson after he was moved?
Yes _____ No _____
10. Did Officer Mauro observe the complete interaction between the other officers and Elijah Johnson after he was moved?
Yes _____ No _____
11. Did the Defendants only apply force to Plaintiff with their hands and knees?
Yes _____ No _____
12. Was Elijah Johnson in handcuffs at the time Defendant LaShomb administered strikes to his body or head?
Yes _____ No _____
13. Was Elijah Johnson in handcuffs at the time Defendant Mauro administered strikes to his body or head?
Yes _____ No _____

14. Did Officer Quonce use any force against Plaintiff other than dragging him and securing his hand?

Yes _____ No _____

15. Was the force used by Defendants consistent with their training regarding the appropriate use of force in a given situation?

Yes _____ No _____

The Foreperson should sign and date this Special Interrogatories form and inform the Court Security Officer that the form has been completed.

Foreperson: _____ Date: _____